

THURSDAY, MARCH 4, 1999
THIRTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Ridgeway.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....99

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 324: Rep(s). Fraley as prime sponsor(s).

House Bill No. 414: Rep(s). Walker as prime sponsor(s).

House Bill No. 526: Rep(s). Gunnels as prime sponsor(s).

House Bill No. 674: Rep(s). Walley, Cooper, Pleasant, Hargett, Montgomery and McCord as prime sponsor(s).

House Bill No. 682: Rep(s). Langster as prime sponsor(s).

House Bill No. 741: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 790: Rep(s). Jackson, Buck, McMillan and Beavers as prime sponsor(s).

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

House Bill No. 915: Rep(s). Fraley as prime sponsor(s).

House Bill No. 978: Rep(s). West as prime sponsor(s).

House Bill No. 1212: Rep(s). Head as prime sponsor(s).

House Bill No. 1384: Rep(s). West and Odom as prime sponsor(s).

House Bill No. 1418: Rep(s). Stulce as prime sponsor(s).

House Bill No. 1453: Rep(s). West, Jones, Newton, Langster, Baird, Pleasant and Cooper as prime sponsor(s).

House Bill No. 1616: Rep(s). Sands as prime sponsor(s).

House Bill No. 1742: Rep(s). Bowers as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Hargett was/were removed as sponsor(s) of **House Bill No. 211**.

MESSAGE FROM THE SENATE

March 2, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 84, 85, 86, 87 and 89; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 2, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 84, 85, 86, 87 and 89.

ENROLLED BILLS

March 2, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 32 and 182.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 2, 1999

The Speaker signed the following: House Bill(s) No(s). 32 and 182.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 2, 1999**

The Speaker signed the following: Senate Bill(s) No(s). 2, 15, 20 and 59.

**REPORT OF CHIEF ENGROSSING CLERK
March 2, 1999**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 12, 202, 249, 292, 295, 312, 432, 490, 491 and 600.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
March 2, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 76, 77, 78 and 106; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE
March 4, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 121; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 121 -- Memorials, Retirement - Admiral Joseph W. Prueher, U.S. Navy. by *Henry.

**MESSAGE FROM THE SENATE
March 4, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 93, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 93 -- Memorials, Sports - Kimley C. Webb, Tennessee Sports Hall of Fame. by *Womack.

Senate Joint Resolution No. 95 -- Memorials, Sports - Central Middle School girls' basketball team, TMSAA state champion. by *Womack.

Senate Joint Resolution No. 96 -- Memorials, Death - May Werthan Shayne. by *Henry, *Rochelle, *Harper, *Haynes, *Cohen, *Herron, *Kurita.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

Senate Joint Resolution No. 98 -- Memorials, Public Service - Carter County, Flood Volunteers. by *Crowe.

Senate Joint Resolution No. 99 -- Memorials, Death - Henry Wheeler Hollinsworth. by *McNally, *Williams.

Senate Joint Resolution No. 101 -- Memorials, Death - Mr. Lendon I. Baird. by *McNally, *Williams.

Senate Joint Resolution No. 102 -- Memorials, Death - Rolland Carvel "Dudley" Hoskins, founder Hoskins Drug Stores. by *McNally, *Williams.

Senate Joint Resolution No. 103 -- Memorials, Heroism - Police Chief Terry Hutcherson. by *Haynes, *Graves, *Kyle.

Senate Joint Resolution No. 104 -- Memorials, Public Service - Homer D. G'Fellers. by *Crowe.

Senate Joint Resolution No. 105 -- Memorials, Public Service - Miss Elizabeth Cable, 1999 Prudential Spirit of Community Award top middle school student volunteer. by *Crowe.

Senate Joint Resolution No. 106 -- Naming and Designating - "My Homeland Tennessee," by Alice Givin Henry, as official bicentennial painting of state. by *Cohen.

Senate Joint Resolution No. 107 -- Memorials, Death - Ellis Edward Featherstone. by *Herron.

Senate Joint Resolution No. 108 -- Memorials, Death - Lisa Caudle Hutchens. by *Herron, *Carter.

Senate Joint Resolution No. 109 -- Memorials, Death - Richard B. "Rich" Carothers, Jr. by *Herron.

Senate Joint Resolution No. 110 -- Naming and Designating - "Workers Memorial Day," April 28, 1999. by *Wilder.

PERSONAL ORDERS

BILL RE-REFERRED

On motion Rep. Hargrove, **House Bill No. 2** was re-referred to the House Judiciary Committee.

BILL WITHDRAWN

On motion of Rep. Todd, **House Bill No. 18** was recalled from the Judiciary Committee and withdrawn from the House.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 113** -- Memorials, Congress - Urges adoption of federal legislation permitting states to regulate electronic commerce. by *Pleasant, *Hargett, *McAfee, *Kent, *Scroggs, *Pruitt, *Todd, *Beavers, *Brooks, *Miller L, *Jones, S., *Odom, *Caldwell, *Ferguson.

House Finance, Ways and Means Committee

***House Joint Resolution No. 116** -- Highway Signs - "Reed H. Thomas Memorial Bridge," S.R. 390 over Holston River in Sullivan County. by *Godsey.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 8, 1999:

House Joint Resolution No. 114 -- Memorials, Professional Achievement - Thomas Park, Kathleen Wright Award recipient. by *Sands.

House Joint Resolution No. 117 -- Memorials, Death - David R. Jones. by *Harwell.

House Joint Resolution No. 118 -- Memorials, Retirement - Johnie Paul Wells. by *McAfee, *Westmoreland.

House Joint Resolution No. 119 -- Memorials, Personal Occasion - Ralph M. Cohen, 70th birthday. by *Odom.

House Joint Resolution No. 120 -- Memorials, Sports - Jeff Fisher, Head Coach, Tennessee Titans. by *Ferguson, *Windle.

House Joint Resolution No. 122 -- Memorials, Personal Occasion - Jim and Marnie McNeillie, 50th Wedding Anniversary. by *Caldwell.

House Joint Resolution No. 123 -- Memorials, Personal Occasion - Mr. and Mrs. Hobart Golden, 60th wedding anniversary. by *Caldwell.

House Joint Resolution No. 124 -- Memorials, Personal Achievement - Lyric Todkill, first prize winner in bagpiping. by *Caldwell.

House Joint Resolution No. 125 -- Memorials, Heroism - Jim Ratledge, Principal, Montvale Elementary School. by *McCord.

House Joint Resolution No. 126 -- Memorials, Personal Occasion - Benjamin and Mary Asbury Hatfield, 70th Wedding Anniversary. by *Goins.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

House Joint Resolution No. 127 -- Memorials, Retirement - John Ward and Bill Anderson, Vol Network announcers. by *Goins.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 8, 1999:

Senate Joint Resolution No. 93 -- Memorials, Sports - Kimley C. Webb, Tennessee Sports Hall of Fame. by *Womack.

Senate Joint Resolution No. 95 -- Memorials, Sports - Central Middle School girls' basketball team, TMSAA state champion. by *Womack.

Senate Joint Resolution No. 96 -- Memorials, Death - May Werthan Shayne. by *Henry, *Rochelle, *Harper, *Haynes, *Cohen, *Herron, *Kurita.

Senate Joint Resolution No. 98 -- Memorials, Public Service - Carter County, Flood Volunteers. by *Crowe.

Senate Joint Resolution No. 99 -- Memorials, Death - Henry Wheeler Hollinsworth. by *McNally, *Williams.

Senate Joint Resolution No. 101 -- Memorials, Death - Mr. Lendon I. Baird. by *McNally, *Williams.

Senate Joint Resolution No. 102 -- Memorials, Death - Rolland Carvel "Dudley" Hoskins, founder Hoskins Drug Stores. by *McNally, *Williams.

Senate Joint Resolution No. 103 -- Memorials, Heroism - Police Chief Terry Hutcherson. by *Haynes, *Graves, *Kyle.

Senate Joint Resolution No. 104 -- Memorials, Public Service - Homer D. G'Fellers. by *Crowe.

Senate Joint Resolution No. 105 -- Memorials, Public Service - Miss Elizabeth Cable, 1999 Prudential Spirit of Community Award top middle school student volunteer. by *Crowe.

Senate Joint Resolution No. 107 -- Memorials, Death - Ellis Edward Featherstone. by *Herron.

Senate Joint Resolution No. 108 -- Memorials, Death - Lisa Caudle Hutchens. by *Herron, *Carter.

Senate Joint Resolution No. 109 -- Memorials, Death - Richard B. "Rich" Carothers, Jr. by *Herron.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 78 -- Naming and Designating - "Duck River Music & Arts Festival Day," Hickman County, first Saturday after Labor Day. by *Springer.

House State and Local Government Committee

***Senate Joint Resolution No. 40** -- Highway Signs - "Paul W. Barret Memorial Parkway," S.R. 385 in Shelby County. by *Wilder, *Leatherwood, *Person, *Kyle, *Dixon.

House Transportation Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1931 -- Jackson - Subject to local approval, increases to \$500 amount members of city council paid to attend meetings. Amends Chapter 101 of the Private Acts of 1993. by *Kisber, *McDaniel. (SB1934 by *Carter)

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1932, was/were referred to the Delayed Bills Committee.

House Bill No. 1932 -- Election Laws - Permits certain nonresident taxpayers in Spring Hill to vote in municipal elections. Amends TCA Section 6-53-102. by *Sands, *Williams (Williamson). (*SB1933 by *Blackburn)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 172** -- Charitable Solicitations - Removes audited financial statement from documents required to be filed for renewal of registration for charitable organizations. Amends TCA Section 48-101-506. by *Fowler. (HB437 by *Wood)

***Senate Bill No. 173** -- Election Laws - Requires registrar of voters to make reasonable effort to redact voter's social security number from record before such record made available to third parties Amends TCA Section 2-2-127. by *Fowler. (HB269 by *Sharp)

***Senate Bill No. 217** -- Motor Vehicles - Deletes requirement that new motor vehicles be equipped with safety glass approved by commissioner of safety; deletes all other related provisions concerning safety glass. Amends TCA Sections 55-9-208 through 55-9-211. by *Haun. (HB1276 by *Sands)

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

***Senate Bill No. 258** -- Insurance Companies, Agents, Brokers, Policies - Requires that every insurance policy for state citizens or residents be written in English. Amends TCA Title 56, Chapter 7, Part 1. by *Womack. (HB1260 by *Walker (Rhea), *Wood, *Gunnels, *Armstrong, *Sargent)

***Senate Bill No. 326** -- Fireworks - Allows sale of Class C common fireworks by previously licensed retailers when county's population grows to over 200,000. Amends TCA Section 68-104-112. by *Rochelle. (HB738 by *West)

***Senate Bill No. 339** -- Medical Occupations - Requires board of medical examiners and physician assistant committee to adopt regulations governing reviews of certain data on patients seen by physician assistants as well as governing the prescribing of certain legend drugs or controlled substances. Amends TCA Title 63, Chapter 19, Part 1. by *Rochelle, *Herron, *McNally, *Harper, *Dixon. (HB315 by *Caldwell, *Odom)

Senate Bill No. 347 -- TennCare - Requires comptroller to monitor, audit and periodically report on status of new HCBS waivers and waiver proposals by department of health. Amends TCA Title 68 and Title 71. by *Henry, *Harper. (*HB214 by *Arriola)

***Senate Bill No. 359** -- Teachers, Principals and School Personnel - Deletes references to "probationary teacher" to reflect removal of that position by 1998 statute. Amends TCA Title 49, Chapter 5, Parts 50 through 56 and Section 49-6-3004. by *Womack, *Dixon. (HB300 by *Maddox)

Senate Bill No. 369 -- Highway Signs - "Chattanooga African American Museum," Exit 1, I-24. by *Crutchfield, *Harper, *Kyle, *Dixon. (*HB326 by *Brown, *Sharp, *Stulce, *Turner (Hamilton), *McAfee, *Wood, *Armstrong)

***Senate Bill No. 371** -- Insurance Companies, Agents, Brokers, Policies - Relieves reciprocal insurers from statutory requirement that insurer's principal place of business and primary offices and all original books be located in Tennessee if insurer's offices and records were located and maintained outside Tennessee prior to January 1, 1996. Amends TCA Title 56, Chapter 16, Part 3. by *Cooper. (HB431 by *Fraleigh, *Phelan)

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 2, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 4, 1999**: House Bill(s) No(s). 247, 41, 414, 221, 296, 300, 302, 21 and 682.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 4, 1999**: House Joint Resolution 50.

CHILDREN & FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 322 and 659. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 270 and 288; also House Bill(s) No(s). 496 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Resolution(s) No(s). 11, also House Bill(s) No(s). 463 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 329, 14, 433 and 461, also House Bill(s) No(s). 172 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 396 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Government Operations Committee recommended that House Bill(s) No(s). 586 and 588 be transmitted to the Conservation and Wildlife Committee, House Bill(s) No(s). 1129 be transmitted to the Transportation Committee, and House Bill(s) No(s). 51 be transmitted to the Education Committee; also House Bill(s) No(s). 1119 be transmitted to the Commerce Committee with amendments.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Joint Resolution(s) No(s). 33; also House Bill(s) No(s). 211 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 28, 201, 36, 528, 61 and 526; also House Bill(s) No(s). 20 and 436 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 328 and 442; also House Bill(s) No(s). 629 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 3, 1999**, reported the following:

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 13 and 210. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 171. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 542 and House Joint Resolution(s) No(s). 52, also House Bill(s) No(s). 690 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 4, 1999**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 8, 1999**: House Bill(s) No(s). 329, 14, 433, 326, 46, 584, 567, 461, 172, 211, 526, House Joint Resolution(s) No(s). 45, and House Resolution(s) No(s). 11; also the Committee set the following bill(s) on the **Regular Calendar for March 11, 1999**: House Bill(s) No(s). 436.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 8, 1999**: House Bill(s) No(s). 283.

CAPTION BILLS REFERRED

Pursuant to **Rule No. 47**, the following Caption Bill(s), held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 59** -- Tennessee Valley Authority -- House State and Local Government Committee

House Bill No. 1186 -- Insurance Companies, Agents, Brokers, Policies -- House Judiciary Committee

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

House Bill No. 763 -- Tort Liability -- House Judiciary Committee

***House Bill No. 214** -- TennCare -- House Health and Human Resources Committee

House Bill No. 1181 -- Civil Procedure -- House Judiciary Committee

***House Bill No. 226** -- Landlord and Tenant -- House Commerce Committee

***House Bill No. 141** -- Highways, Roads and Bridges -- House Transportation Committee

***House Bill No. 771** -- Juvenile Offenders -- House Education Committee

***House Bill No. 420** -- Loan Companies and Short Term Lenders -- House Judiciary Committee

CONSENT CALENDAR

House Bill No. 1566 -- Hamblen County - Subject to local approval, at August, 2000 meeting of legislative body, county commission to appoint road superintendent instead of having road superintendent elected by popular vote. Amends Chapter 161 of the Private Acts of 1996. by *Ford S. (SB1710 by *Haun)

***House Joint Resolution No. 50** -- Highway Signs - "Don O'Neal Memorial Bridge," S.R. 22A spanning Little White Oak Canal and Old Creek Run, Chester County. by *Walley.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes99
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2** -- Statutes - Codifies public acts of 1998. by *Hargrove. (SB1 by *Wilder)

Further consideration of House Bill No. 2 previously considered on February 25, 1999, at which time it was reset for today's Calendar.

On previous motion, Rep. Hargrove moved that **House Bill No. 2** be re-referred to the Judiciary Committee.

House Bill No. 247 -- Attorneys at Law - Authorizes state and county bar associations to bring action against persons or entities engaged in unauthorized practice of law or other misconduct. Amends TCA Section 23-3-103. by *Stulce. (*SB26 by *Fowler)

Rep. Stulce moved that House Bill No. 247 be passed on third and final consideration.

Rep. Buck requested that Judiciary Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. Stulce moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 247 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 23-3-103, is amended by adding the following language as a new, appropriately designated subsection:

(1) Any organized bar association of a municipality, county, or multi-county region, (except any county having a metropolitan form of government), in which a violation occurs may bring a civil action seeking relief, as provided in this part, against any person or entity who violates the provisions of this part. Any organized statewide bar association, primarily representing plaintiff attorneys and having no locally-based affiliate associations, may bring a civil action in the municipality or county in which a violation occurs seeking relief, as provided in this part, against any person or entity who violates the provisions of this part. Upon the commencement of any action brought under this section by any bar association, the bar association shall provide a copy of the complaint or other initial pleading to the attorney general and reporter, who in the public interest may intervene and prosecute the action. Such pleadings shall be provided to the attorney general and reporter simultaneously with the initial service to the defendant or defendants. Additionally, all subsequent filings shall be provided to the attorney general and reporter, including any judgments or notices of appeal by the initiating bar association.

(2) Any bar association bringing suit under this section is presumed to be acting in good faith and is granted a qualified immunity for the suit and the consequences of the suit. The presumption of good faith is rebuttable upon a showing by preponderance of the evidence that the suit was brought for a malicious purpose.

SECTION 2. Tennessee Code Annotated, Section 23-3-103(c)(1), is amended by deleting the word, symbols and figures "§§ 23-3-101 and 23-3-103(a)," and by substituting instead symbols and figures "§ 23-3-110."

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Stulce moved that **House Bill No. 247**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

***House Bill No. 41** -- Bail, Bail Bonds - Repeals provision prohibiting constitutionally elected peace officer, deputy or any county official from acting as professional bondsman. - Repeals TCA Section 40-11-313. by *Hood, *Beavers, *Eckles, *Kisber, *McDaniel, *Fitzhugh, *Boyer. (SB39 by *Womack)

Rep. Hood moved that House Bill No. 41 be reset for the Regular Calendar on March 8, 1999, which motion prevailed.

House Bill No. 414 -- Checks, Deferred Presentments - Deletes 12:01 a.m. October 1, 1999, sunset provision in Section 22 of the Deferred Presentment Services Act. Amends Chapter 255 of the Public Acts of 1997. by *DeBerry L, *Cole (Dyer), *Phelan, *Gunnels, *Boyer, *Sargent, *Newton, *Ford S, *McKee, *Rinks, *Langster, *Armstrong, *Bittle, *Whitson, *Fitzhugh, *Ferguson, *White, *Bone, *Davidson, *Patton, *Eckles, *Jones U (Shelby), *Walker (Rhea). (*SB49 by *Rochelle)

Rep. L. DeBerry requested that House Bill No. 414 be moved to the heel of the Calendar.

***House Bill No. 221** -- Funeral Directors and Embalmers - Deletes authority of board of funeral directors and embalmers to refuse to issue license to person not resident of Tennessee. Amends TCA Title 62, Chapter 5. by *Garrett. (SB1011 by *Ford J)

Rep. Garrett requested that House Bill No. 221 be moved to the heel of the Calendar.

House Bill No. 296 -- Teachers, Principals and School Personnel - Revises procedures on evaluation of apprentice teachers to recognize elimination of probationary teacher status. Amends TCA Section 49-5-5606. by *Maddox. (*SB358 by *Womack)

Rep. Maddox moved that House Bill No. 296 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 296 by deleting the last sentence at the end of subsection (b) in Section 2 of the printed bill and by substituting instead the following sentence:

At the end of the third (3rd) school year, the candidate's evaluations will be sent to the local board of education, which will submit a recommendation to the department of education, office of certification and licensing for issuance or denial of licensing.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Maddox moved that **House Bill No. 296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 300 -- Teachers, Principals and School Personnel - Deletes references to "probationary teacher" to reflect removal of that position by 1998 statute. Amends TCA Title 49, Chapter 5, Parts 50 through 56 and Section 49-6-3004. by *Maddox. (*SB359 by *Womack, *Dixon)

Rep. Maddox moved that House Bill No. 300 be reset for the Regular Calendar on March 11, 1999, which motion prevailed.

***House Bill No. 302** -- Education - Changes the name of "guidance counselor" to "school counselor." Amends TCA Title 49. by *Maddox, *Lewis. (SB637 by *Springer)

Rep. Maddox moved that **House Bill No. 302** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes99
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

***House Bill No. 21** -- Juries and Jurors - Permits prospective jurors to donate reimbursement for jury service to the criminal injuries compensation fund. Amends TCA Title 22, Chapter 4. by *Hargett. (SB252 by *Kyle)

Rep. Hargett moved that **House Bill No. 21** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes99
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

***House Bill No. 682** -- Motor Vehicles, Titling and Registration - Authorizes issuance of license plates for Tennessee Titans. Amends TCA Title 55, Chapter 4. by *Robinson, *Langster. (SB1244 by *Haynes)

Rep. Robinson moved that House Bill No. 682 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 682 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Titans;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in §55-4-203, shall be issued a Tennessee Titans new specialty earmarked license plate for a motor vehicle authorized by §55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall bear the official colors and logo of the Tennessee Titans National Football League team and shall include the language "TITANS" in an appropriate design. Such plates shall be designed in consultation with the President of the Tennessee Titans organization.

(c) The funds produced from the sale of Tennessee Titans new specialty earmarked license plates shall be allocated in accordance with the provisions of §55-4-215 to the Jason Foundation, Inc.

(d) If the new specialty earmarked plate authorized by this act fails to meet the minimum issuance requirements of §55-4-201(b)(3)(B) within one (1) year of the effective date of this act, such plate shall not be issued and the commissioner shall notify the Tennessee Code Commission that the section of Tennessee Code Annotated authorizing the issuance of such plate is, on the basis of such inactivity, to be deemed obsolete and invalid.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Robinson moved that **House Bill No. 682**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Sands -- 1.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 414 -- Checks, Deferred Presentments - Deletes 12:01 a.m. October 1, 1999, sunset provision in Section 22 of the Deferred Presentment Services Act. Amends Chapter 255 of the Public Acts of 1997. by *DeBerry L, *Cole (Dyer), *Phelan, *Gunnels, *Boyer, *Sargent, *Newton, *Ford S, *McKee, *Rinks, *Langster, *Armstrong, *Bittle, *Whitson, *Fitzhugh, *Ferguson, *White, *Bone, *Davidson, *Patton, *Eckles, *Jones U (Shelby), *Walker (Rhea). (*SB49 by *Rochelle)

On motion, House Bill No. 414 was made to conform with **Senate Bill No. 49**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. L. DeBerry moved that **Senate Bill No. 49** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	15
Present and not voting	6

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McKee, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Rinks, Roach, Sands, Sargent, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Beavers, Bowers, Brooks, Brown, Chumney, Givens, McDaniel, McMillan, Odom, Ridgeway, Robinson, Scroggs, Towns, West, Wood -- 15.

Representatives present and not voting were: Caldwell, Cooper, Hargett, McDonald, Miller, Pleasant -- 6.

A motion to reconsider was tabled.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

***House Bill No. 221** -- Funeral Directors and Embalmers - Deletes authority of board of funeral directors and embalmers to refuse to issue license to person not resident of Tennessee. Amends TCA Title 62, Chapter 5. by *Garrett. (SB1011 by *Ford J)

Rep. Garrett moved that **House Bill No. 221** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes99
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Turner (Hamilton) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 121 out of order, which motion prevailed.

Senate Joint Resolution No. 121 -- Memorials, Retirement - Admiral Joseph W. Prueher, U.S. Navy. by *Henry.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Turner (Hamilton), the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Bone moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 115 out of order, which motion prevailed.

House Joint Resolution No. 115 -- Memorials, Personal Achievement - Daniel Kasic, Sigma Beta Delta Honors Society, inductee. by *Bone.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bone, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Bone, **House Bill No. 29** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Bone, **House Bill No. 173** was recalled from the Judiciary Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 526: Rep(s). Rhinehart as prime sponsor(s).

House Bill No. 555: Rep(s). Bowers as prime sponsor(s).

House Bill No. 557: Rep(s). Bowers as prime sponsor(s).

House Bill No. 585: Rep(s). Tidwell as prime sponsor(s).

House Bill No. 674: Rep(s). L. DeBerry and Davis (Washington) as prime sponsor(s).

House Bill No. 677: Rep(s). Langster as prime sponsor(s).

House Bill No. 790: Rep(s). Sands as prime sponsor(s).

House Bill No. 827: Rep(s). Tidwell as prime sponsor(s).

House Bill No. 834: Rep(s). Tidwell as prime sponsor(s).

House Bill No. 838: Rep(s). Tidwell as prime sponsor(s).

House Bill No. 939: Rep(s). Tidwell as prime sponsor(s).

House Bill No. 1027: Rep(s). Bowers as prime sponsor(s).

House Bill No. 1140: Rep(s). Sands as prime sponsor(s).

House Bill No. 1389: Rep(s). West as prime sponsor(s).

House Bill No. 1453: Rep(s). Turner (Shelby) as prime sponsor(s).

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

House Bill No. 1522: Rep(s). Windle as prime sponsor(s).

House Bill No. 1532: Rep(s). Bone as prime sponsor(s).

House Bill No. 1683: Rep(s). L. DeBerry as prime sponsor(s).

ENGROSSED BILLS

March 4, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 21, 221, 247, 296, 302, 682, and 1566, also, House Joint Resolution(s) No(s) 50.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

March 4, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 115.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 296 and 471; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 115; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

March 4, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 115.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 4, 1999**

The Speaker signed the following: House Joint Resolution(s) No(s). 115

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 4, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 115; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
March 4, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 115.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 4, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 65, 81, 90, 91, 93, 94, 96, 97, 99, 100, and 102; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
March 4, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 28, 103, 104, 105, 108, and 109; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE GOVERNOR
March 4, 1999**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 115, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

ENROLLED BILLS

March 4, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 296 and 471.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 32 and 182; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 4, 1999

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 32 and 182.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

March 4, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 28, 65, 81, 90, 91, 93, 94, 96, 97, 99, 100, 102, 103, 104, 105, 108, and 109.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 4, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 28, 65, 81, 90, 91, 93, 94, 96, 97, 99, 100, 102, 103, 104, 105, 108, and 109.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 28, 65, 81, 90, 91, 93, 94, 96, 97, 99, 100, 102, 103, 104, 105, 108, and 109; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 121; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 4, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 121.

MESSAGE FROM THE SENATE

March 4, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 28, 118, 140, 175, 176, 205, 210, 271, 272, 346, 379 and 411; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 28** -- Claims Commission, Tennessee - Permits claims commission claim for retaliation against state employee for filing workers' compensation claim as alternative to civil service grievance; prohibits termination of state employee for asserting any right protected by statute; retroactive for all claims filed on or after July 1, 1992. Amends TCA Title 9, Chapter 8, Part 3. by *Cohen. (HB1072 by *Chumney)

***Senate Bill No. 118** -- Sunset Laws - Water and wastewater operators, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 221. by *Springer. (HB384 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 140** -- Sunset Laws - Forestry commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 4. by *Springer. (HB391 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 175** -- Education - Requires LEAs to develop policy setting forth rights of students and parents to information obtained from surveys, analyses, or evaluations of students. Amends TCA Title 49, Chapter 2, Part 2. by *Fowler. (HB1217 by *Harwell, *Pinion, *Patton, *Hagood, *Pleasant, *Bunch)

***Senate Bill No. 176** -- County Government - Increases maximum monetary penalty county having charter form of government may set for violating county ordinances from \$500 to \$1,000; basically only applies to Knox County. Amends TCA Section 5-1-211. by *McNally, *Burchett, *Atchley. (HB412 by *Hagood, *Tindell, *Boyer, *Bittle, *Dunn, *Buttry, *Armstrong)

THURSDAY, MARCH 4, 1999 -- THIRTEENTH LEGISLATIVE DAY

Senate Bill No. 205 -- Criminal Offenses - Creates Class D felony offense for identity theft. Amends TCA Title 39, Chapter 14, Part 1. by *Rochelle, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (*HB197 by *McDonald, *Williams (Williamson), *Fowlkes, *Bone, *West, *Stulce, *Head, *Hood, *Eckles, *Sharp, *Wood, *Boyer, *Patton, *Ford S, *Fitzhugh, *Maddox, *Hagood, *White, *Fraley, *Cooper B, *Bittle, *Buttry, *Pleasant, *Langster, *Sargent, *Briley, *Miller L, *Godsey, *Dunn, *McDaniel, *Ridgeway, *Sands, *Winningham, *Walker (Rhea), *Turner (Hamilton), *Montgomery, *DeBerry L, *McMillan, *Towns)

***Senate Bill No. 210** -- Tattoo Parlors and Piercing Establishments - Requires minors age 17 or younger to have written permission of parent or guardian before receiving body piercing. Amends TCA Title 62, Chapter 38. by *Davis L, *Miller J, *Burks, *Crowe. (HB211 by *Ferguson, *Maddox, *Fitzhugh, *Walker (Rhea), *Stulce)

***Senate Bill No. 271** -- Children - Adds Knox County and any municipality in Knox County to counties and municipalities allowed to adopt Child Curfew Act of 1995 by resolution or ordinance. Amends TCA Title 39, Chapter 17, Part 17. by *Burchett. (HB322 by *Buttry, *Hagood)

***Senate Bill No. 272** -- Salaries and Benefits - Specifies that final paycheck in private employment must include payment for any accrued vacation or other compensatory leave. Amends TCA Section 50-2-103. by *Womack, *Harper. (HB699 by *Jones, S., *Briley, *Pruitt, *Ferguson, *Langster, *Bowers, *Cooper B)

***Senate Bill No. 346** -- Teachers, Principals and School Personnel - Provides for development by department of education and implementation by LEAs of safe school in-service training programs dealing with drugs, alcohol, and other student or gang related violence in schools. Amends TCA Title 49, Chapter 1. by *Dixon, *Harper, *Burks. (HB1250 by *Maddox, *Winningham, *McMillan, *Jackson, *Stulce, *Kent, *Davis (Cocke), *Fitzhugh, *Ferguson)

Senate Bill No. 379 -- Judges and Chancellors - Removes requirement that justices and judges have six months to request senior judge or justice status after retirement. Amends TCA Section 17-2-302. by *Person, *Crutchfield, *Williams. (*HB259 by *Buck, *Fowlkes, *Sands)

Senate Bill No. 411 -- Sunset Laws - Tennessee alliance for fitness and health, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 40. by *Springer, *Dixon. (*HB410 by *Kernell, *Garrett, *Brooks)

**SIGNED
March 4, 1999**

The Speaker signed the following: House Bill(s) No(s). 296 and 471.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until at 5:00 p.m., Monday, March 8, 1999.